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9                   UNITED STATES DISTRICT COURT  
10                   WESTERN DISTRICT OF WASHINGTON  
11                   AT TACOMA

12                   EUGENE RONALD HOLLEY, SR.,

13                   Plaintiff,

14                   v.

15                   DR. KENNETH R. SEBBAY, *et al.*,

16                   Defendants.

17                   Case No. C07-5283 RBL/KLS

18                   ORDER GRANTING  
19                   APPLICATION TO PROCEED  
20                   IN *FORMA PAUPERIS* AND  
21                   DIRECTING INSTITUTION TO  
22                   CALCULATE, COLLECT, AND  
23                   FORWARD PAYMENTS

24                   The Court, having reviewed Plaintiff's application to proceed in *forma pauperis*, does hereby find  
25 and ORDER.

26                   Plaintiff's declaration indicates he is unable to afford the court's filing fee or give security therefor.  
27 Accordingly, Plaintiff's application to proceed as a pauper is **GRANTED**. As set forth below, an initial  
28 **partial filing fee will be collected, and Plaintiff is required to make monthly payments of 20 percent  
of the preceding months income credited to his/her account until the full amount of the filing fee is  
satisfied.**

29                   Pursuant to 28 U.S.C. § 1915 and Plaintiff's approved application to proceed *in forma pauperis*,  
30 the agency having custody of the above named Plaintiff is directed to calculate an initial partial filing fee  
31 equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the average  
32 monthly balance in the prisoner's account for the 6-month period immediately preceding the date of this

1 Order. The initial partial filing fee should be forwarded to the Court Clerk as soon as practicable.

2 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is directed to  
3 collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to  
4 the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below  
5 \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's  
6 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee  
7 described above. Finally, the monthly payments should be collected and forwarded to the court until the  
8 entire filing fee (\$350.00) for this matter has been paid.

9 The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy of  
10 this Order along with a copy of Plaintiff's Acknowledgment and Authorization portion of the IFP  
11 application to the attention of the inmate account manager of the Airway Heights Corrections Center,  
12 Airway Heights, Washington.

13 DATED this 3rd day of July, 2007.

*Ben Lstrom*

**Karen L. Strombom  
United States Magistrate Judge**